

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

NOV 17 2015

Clerk, U.S. District Court
District Of Montana
Missoula

FRIENDS OF THE WILD SWAN, a non-profit organization, WILDEARTH GUARDIANS, a non-profit organization, and ALLIANCE FOR THE WILD ROCKIES, a non-profit organization,

Plaintiffs,

vs.

DAN VERMILLION, in his official capacity as Chairman of the Montana Fish, Wildlife, and Parks Commission, BOB REAM, in his official capacity as a Commissioner of the Montana Fish, Wildlife, and Parks Commission, MATTHEW TOURTLOTTE, in his official capacity as a Commissioner of the Montana Fish, Wildlife, and Parks Commission, LAWRENCE WETSIT, in his official capacity as a Commissioner of the Montana Fish, Wildlife, and Parks Commission, RICHARD STUKER, in his official capacity as a Commissioner of the Montana Fish, Wildlife, and Parks Commission, and JEFF HAGENER, in his official capacity as Director of the Montana Department of Fish, Wildlife, and Parks,

Defendants,

CV 13-66-M-DLC

ORDER

and

MONTANA TRAPPERS
ASSOCIATION, NATIONAL
TRAPPERS ASSOCIATION, TOBY
LEWIS WALRATH, and WILLIAM
JAMES KATS,

Defendant-Intervenors.

Before the Court is the parties' joint motion to vacate the January 4, 2016 deadline for Plaintiffs' motion for attorney's fees and costs, and to once again stay this matter. The parties contend that a stay is necessary pending Defendant-Intervenors' appeal of the Court's September 2015 order approving the settlement agreement and dismissing this case. As noted in the motion, Defendant-Intervenors' "appeal likely renders Plaintiffs' motion for attorneys' fees and costs (and any negotiations regarding attorneys' fees and costs) premature." (Doc 86). Though the Court is anxious to see this case come to a close, the Court agrees with the parties.

Accordingly, IT IS ORDERED that the parties' motion to stay the case pending the outcome of Defendant-Intervenors' appeal (Doc. 86) is GRANTED. To the extent this matter remains pending for the purpose of resolving attorney's fees and costs, the case is now STAYED. The January 4, 2016 deadline for

Plaintiffs to file their motion for attorney's fees and costs is VACATED.

IT IS FURTHER ORDERED that, within seven (7) days of the issuance of a final mandate in Defendant-Intervenors' case before the Ninth Circuit Court of Appeals, the parties shall file a joint status report discussing any progress made in the interim in negotiating attorney's fees and costs. The Court will then set a new deadline for Plaintiffs' motion on this subject, if necessary.

DATED this 17th day of November, 2015.



Dana L. Christensen
Dana L. Christensen, Chief Judge
United States District Court